

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:08CR465
)	
Plaintiff,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
DAVID C. PERORAZIO,)	MEMORANDUM OPINION
)	AND ORDER
Defendant.)	
)	

The instant matter is before the Court upon Magistrate Judge Benita Y. Pearson's Report and Recommendation that the Court accept Defendant David C. Perorazio's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 7.)

On November 14, 2008, the Government filed an Information against the Defendant. (Dkt. # 1.) On November 18, 2008, the Court issued an Order referring the instant matter to Magistrate Judge Pearson for the purpose of arraignment and receiving Defendant's guilty plea. (Dkt. # 2.)

On December 1, 2008, the Defendant proffered a plea of guilty to Count One of the Information. Magistrate Judge Pearson received Defendant's guilty plea and issued a Report and Recommendation, in which the Magistrate Judge recommends that this Court accept the plea and enter a finding of guilty. (Dkt. # 7.) Neither party objected

to the Magistrate Judge's Report and Recommendation in the ten days after it was issued.

On *de novo* review of the record, the Magistrate Judge's Report and Recommendation is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of Count One in violation of 18 U.S.C. § 1341. The sentencing will be held on **March 4, 2009, at 9:30 a.m.**

IT IS SO ORDERED.

/s/ Peter C. Economus - December 16, 2008
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE